



DELAWARE NUTRIENT MANAGEMENT

2320 S. DuPont Highway
Dover, DE 19901
1-800-282-8685 (DE Only)
(302) 698-4500



Website: www.state.de.us/deptagri
Email: nutrient.management@state.de.us
Fax: (302) 697-6287

The Delaware Nutrient Management Commission Minutes of the Full Commission Meeting Held February 20, 2007

In attendance:

<i>Commission Members Present</i>	<i>Others Present</i>	
B. Vanderwende – Chair	B. Angstadt	T. Garrahan
M. Adkins	J. Barndt	S. Hollenbeck
D. Baker	K. Bunting-Howarth	J. Kasper
K. Blessing	B. Coleman	S. Kepfer
A. Johnson	H. Comegys	C. Klein
T. Keen	K. Donnelly	J. Schneider
E. Lewandowski	K. Foskey	S. Strohmeier
J. Manchester		
B. O'Neill		

<i>Commission Members Absent</i>	<i>Ex-officios Present</i>
R. Baldwin	W. Rohrer
C. Larimore	G. Llewellyn
C. Solberg	
R. Sterling	
C. West	

*This meeting was properly notified and posted as required by 29 Del. C. §10004 et al.
The meeting scheduled for February 13, 2007 was postponed due to inclement weather.*

Call to Order/Welcome:

Chairman B. Vanderwende called the meeting to order at 7:00 p.m. and welcomed everyone in attendance.

Approval of Minutes:

D. Baker motioned to approve the minutes of the January 09, 2007 Full Commission meeting.

K. Blessing seconded the motion, which passed unanimously.

Discussion and Action Items:

Modify and adopt minutes of December 12, 2006 Full Commission Meeting:

J. Manchester motioned to approve amended minutes of the December 12, 2006 Full Commission meeting.

E. Lewandowski seconded the motion.

D. Baker stated he did not have ample time to review amendments.

J. Manchester withdrew the motion to approve amended minutes.

D. Baker moved to delay approval of amended minutes until March 13, 2007 Full Commission meeting.

B. Vanderwende asked H. Comegys and C. Kline, Perdue Representatives, if they were okay with the delay. They expressed that they were fine with the motion to delay approval.

B. O'Neill seconded the motion, which passed unanimously.

DNREC Indian River Groundwater Nutrient Study (John Barndt):

J. Kasper gave the presentation, which is included with the meeting record. His presentation focused on a five-year study involving 255 wells in the Columbia aquifer of the Indian River Bay Watershed. Of the 255 wells sampled, the following statistics can be derived:

- 4.7% of the wells were Agricultural
- 200 wells were of a domestic nature
- 84% of the wells were 40-80 ft. deep

His summary provided the following:

- Nitrate contamination is widespread, both areally and with depth
- Nitrate concentrations are elevated under oxidizing conditions
- 32% of the samples exceed the Maximum Contamination Level (.10 m/l)
- Extensive contamination in the Millsboro vicinity
- 12 samples >0.1 mg/L – phosphorous
- Phosphorous concentrations tend to be most elevated in poorly-drained areas with reducing conditions (i.e., south of IRB)
- Highest concentrations of Phosphorous may be associated with natural sources
- The study identifies mainly Nitrogen nutrients within the groundwater profile
- A hot spot with very elevated Phosphorus concentration was found in Indian River South and Iron Branch watershed

DNREC Surface Water Quality Report – N and P (John Schneider)

J. Schneider gave the presentation, which is included with the meeting record. His presentation focused on water quality indicators and trends. He outlined the impacts of excess nutrients, nutrient pathways, and data trends.

His summary provided the following:

- Nitrogen is generally stable (at elevated levels) or increasing slightly
- Increasing Nitrogen trends are a concern in the Nanticoke
- Phosphorous is generally stable (at elevated levels) or decreasing slightly
- Stable water quality is an accomplishment considering human population growth
- Groundwater memory, constantly changing landscape and weather conditions make predictions difficult

Discuss and act on Nutrient Management Critical Area Designation:

B. Rohrer explained that perhaps it is time to redefine our Critical Areas. J. Schneider stated that DNREC currently has nutrient TMDLs for 38 different watersheds. B. Rohrer recommended that the Commission request that DNREC provide new recommendations for critical areas pertaining to Nitrogen and Phosphorous.

D. Baker motioned to request that DNREC provide recommendations on some additional critical areas pertaining to Nitrogen and Phosphorous.

B. O'Neill seconded the motion.

K. Donnelly explained that information could be provided watershed by watershed, and could be arranged into areas of high, medium, and low priority. B. Rohrer suggested that the recommendations could possibly identify the top 25% of nitrogen limited waters, and the top 25% of phosphorous limited waters. E. Lewandowski asked if the recommendation could also identify which waterways are characterized as ERES waterways within those waterways. K. Donnelly stated absolutely.

B. Vanderwende states that there is a motion on the floor that has been seconded. He asked for a vote. The vote was unanimous, and the motion carried.

Review and act on Jan. 07 certification regulation:

E. Lewandowski gave a report of the Rules and Regulations Subcommittee, stating that there is a new proposed version of the Regulations – drafted 02/06/07. He asked the Commission to approve the language as written.

B. O'Neill motioned to accept draft language as written.

D. Baker seconded the motion.

T. Keen requested clarification of an “approved” Nutrient Management plan, explaining a circumstance where a farmer could be directed to apply nutrients to one portion of his land, but the plan is not completed for the remainder of land. B. Rohrer explained that if the staff were investigating a complaint dealing with wheat, they would want to see the plan that deals with wheat. The Commission decided to strike the word “approved” from the regulation.

B. Vanderwende called for a vote.

The vote resulted in 8 for, 0 against, 1 abstention (J. Manchester); therefore, the motion to accept draft language passed.

Subcommittee Reports: Technology Subcommittee

T. Keen, Chairman of the Technology Subcommittee, briefed the Commission on the preceding Technology Subcommittee meeting. There had been discussion relating to the reduction of Phosphorous application in Delaware. He added that the Technology Subcommittee would meet again prior to the next Full Commission meeting.

Administrator's Report: *Refer to the attached Administrator's Report*

B. Rohrer explained the Administrator's Report. He noted that the Funding Line given to Fines and Penalties had been added to this report for the purposes of tracking and usage.

Public Comments: NONE

Next Meeting:

The next meeting of the Full Commission is scheduled for March 13, 2007 at 7:00 pm.

Adjournment:

Chairman B. Vanderwende adjourned the meeting at 9:04 p.m.

Approved,

W. Vanderwende, Chairman
WRR/psd